PER CURIAM

Per Curiam

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SUPREME COURT OF THE UNITED STATES

No. 07–11191

MARK A. BRISCOE AND SHELDON A. CYPRESS, PETITIONERS *v.* VIRGINIA

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF VIRGINIA

[January 25, 2010]

PER CURIAM.

We vacate the judgment of the Supreme Court of Virginia and remand the case for further proceedings not inconsistent with the opinion in *Melendez-Diaz* v. *Massachusetts*, 557 U. S. ___ (2009).

It is so ordered.